

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

NARCISO MACUGAY,

Plaintiff,

v.

ADAM COUNTY DISTRICT  
COURT OF WASHINGTON,

Defendant.

NO: 12-CV-0415-TOR

ORDER DISMISSING COMPLAINT  
FOR FAILURE TO INFORM OF  
CHANGE OF ADDRESS

Plaintiff submitted a Civil Rights Complaint on June 22, 2012. At that time, Plaintiff was housed at the Eastern State Hospital, apparently accused of criminal conduct in state court. The Acknowledgment and Authorization section of his Declaration and Application to Proceed *In Forma Pauperis* by a Prisoner Bringing a Civil rights Action Pursuant to 42 U.S.C. § 1983 was unsigned. It was returned to Plaintiff on June 25, 2012, to be signed and returned, along with a six month statement of account as required by 28 U.S.C. §1915(a)(2).

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1 Under the *in forma pauperis* statute, a "prisoner" is defined as "any person  
2 incarcerated or detained in any facility who is accused of, convicted of, sentenced  
3 for, or adjudicated delinquent for, violations of criminal law . . . ." 28 U.S.C. §  
4 1915(h). Although housed at a State Hospital, it appeared the term "prisoner"  
5 applied to Mr. Macugay. Indeed, when he returned the signed Acknowledgment  
6 and Authorization on July 2, 2012, his return envelope contained the address of the  
7 Adams County Jail. ECF No. 4. Documents sent to Mr. Macugay at that address,  
8 however, were returned as undeliverable on July 17, 2012, along with the  
9 advisement that he was "released" on July 2, 2012. Plaintiff has not kept the Court  
10 apprised of his current address and has filed nothing further in this action.

11 The Court has attempted, but has been unable, to locate a current address  
12 for Plaintiff. Therefore, **IT IS ORDERED** Plaintiff's complaint is **DISMISSED**  
13 **WITHOUT PREJUDICE** for failure to notify the Court regarding his change of  
14 address.

15 The District Court Executive is directed to enter this Order, enter judgment,  
16 forward a copy to the Plaintiff at his last known address, and **CLOSE** the file.

17 **DATED** this 6th day of September, 2012.

18  
19 s/ Thomas O. Rice  
THOMAS O. RICE  
United States District Court Judge

20  
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